

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

WILLIAM ALAN PHILLIPS,	)	
	)	
Plaintiff,	)	
	)	No. 1:05-CV-215
v.	)	
	)	Judge Curtis L. Collier
CAPITAL TOYOTA, INC.,	)	
LEXUS OF CHATTANOOGA, INC.,	)	
JEFFREY McKAMEY, and GENE McGEE,	)	
	)	
Defendants.	)	

**ORDER**

In accordance with the accompanying memorandum, the Court hereby **GRANTS** Defendants Capital Motor Sales, Inc., Jeffery McKamey, and Gene McGee's (collectively "Defendants") "Second Motion For Partial Dismissal" (Court File No. 30) and **DISMISSES** Plaintiff William Alan Phillips' claims under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*. Plaintiff's remaining claims that have not been dismissed will proceed.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**